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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON

8 JUSTIN R. HAMMER,

9 Plaintiff,

10 vs.

11 STATE OF WASHINGTON
12 DEPARTMENT OF CORRECTIONS,
13 and HAROLD CLARK,

14 Defendants.

NO. CV-06-032-MWL

ORDER ADOPTING REPORT AND
RECOMMENDATION AND DISMISSING
COMPLAINT FOR FAILURE TO COMPLY
WITH ORDER REGARDING FILING FEE
REQUIREMENTS

15 Magistrate Judge Leavitt filed a Report and Recommendation on May
16 4, 2006, recommending Mr. Hammer's complaint be dismissed for failure
17 to comply with the filing fee requirements of 28 U.S.C. § 1915(a)(2).
18 The report and recommendation was sent to the Airway Heights
19 Correction Center, but returned as undeliverable. Plaintiff has not
20 kept the court apprised of a change of address. There being no

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1 objections, the court **ADOPTS** the Report and Recommendation. The
2 Complaint is **DISMISSED WITHOUT PREJUDICE**.

3 **IT IS SO ORDERED.** The District Court Executive is directed to
4 enter this Order, forward a copy to Plaintiff at his last known
5 address and close the file.

6 **DATED** this 26th day of May, 2006.

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8 ***s/Lonny R. Suko***

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LONNY R. SUKO
UNITED STATES DISTRICT JUDGE